

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
2014 JUL 21 AM 11:17
CLERK
SO. DIST. OF GA. *Mah*

UNITED STATES OF AMERICA)

v.)

ERICA R. BALDWIN)


INDICTMENT NO. 6:13CR00008-1

ORDER

Before the Court is a Motion to Change Method by Which Balance of Sentence is Served (Doc. 44). On January 7, 2014, Baldwin was sentenced to a term of 81 months of confinement. Baldwin requests a modification in her sentence to allow her to serve the balance of her term of imprisonment on home confinement or in a half-way house. "The authority of a district court to modify an imprisonment sentence is narrowly limited by statute." United States v. Phillips, 597 F.3d 1190, 1194-95 (11th Cir. 2010); see also 18 U.S.C. § 3582(c). None of the statutory provisions apply to Baldwin; the Bureau of Prisons has not filed a motion asking for a reduction due to Baldwin's age and circumstances, see id. § 3582(c)(1)(A); the government has not filed a Rule 35 motion, see id. § 3582(c)(1)(B); and Baldwin's advisory guideline range has not been lowered by a retroactive amendment, see id. § 3582(c)(2). Finally, the 14-day time limit for any correction of the sentence due to the "arithmetical, technical, or other clear error," has also passed. Fed. R. Crim. P. 35(a).

Accordingly, Defendant's Motion to Change Method by Which Balance of Sentence is Served is DENIED.

SO ORDERED, this 21 day of July, 2014.


B. Avant Edenfield
United States District Judge
For the Southern District of Georgia